

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE BED BATH & BEYOND INC. SECTION
16(b) LITIGATION

Case No. 1:22-cv-09327-DEH

**RC VENTURES LLC AND RYAN COHEN'S
NOTICE OF AMENDED OMNIBUS MOTION TO DISMISS THE COMPLAINTS**

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Joshua M. Slocum, sworn to on November 8, 2023, and the exhibits attached thereto, and the accompanying Memorandum of Law in Support of this Motion, Defendants RC Ventures LLC and Ryan Cohen, by their attorneys, Wollmuth Maher & Deutsch LLP, respectfully move this Court, before the Honorable Dale E. Ho, United States District Judge, United States District Court, Southern District of New York, 40 Foley Square, Courtroom 905, City of New York, at a date and time to be set by the Court, for an order dismissing Plaintiff Todd Augenbaum's Complaint and Plaintiff Judith Cohen's Amended Complaint with prejudice pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure for lack of subject matter jurisdiction and Rule 12(b)(6) of the Federal Rules of Civil Procedure for failure to state a claim upon which relief can be granted.

Dated: November 8, 2023

Respectfully submitted,

WOLLMUTH MAHER & DEUTSCH LLP

/s/ Joshua M. Slocum

David H. Wollmuth

Joshua M. Slocum

Maxwell G. Dillan

Yating Wang

500 Fifth Avenue

New York, New York 10110

Phone: (212) 382-3300

dwillmuth@wmd-law.com

jslocum@wmd-law.com

mdillan@wmd-law.com

ywang@wmd-law.com

*Attorneys for Defendants RC Ventures LLC
and Ryan Cohen*